

Honorable Thomas S. Zilly

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

FAIR HOUSING CENTER OF
WASHINGTON,

Plaintiff,

v.

BREIER-SCHEETZ PROPERTIES, LLC, a
Washington corporation; and FREDERICK
BREIER-SCHEETZ, an individual,

Defendants.

No. 2:16-cv-00922-MAT

DECLARATION OF VICTORIA L.
VREELAND RE HOURLY RATES IN
SUPPORT OF PLAINTIFF'S MOTION
FOR ATTORNEY'S FEES AND COSTS

I, Victoria L. Vreeland, hereby state and declare as follows:

1. I am over the age of eighteen (18), and am competent to make this Declaration, which is based upon personal knowledge.

2. I have no financial interest in this case or with counsel for any party, and have no commercial or business relationship with any party or counsel. I have been engaged by the law firm of MacDonald Hoague & Bayless to form and offer my opinions as to the reasonableness of the hourly rates charged by attorneys Jesse Wing, Angela Galloway and Sam Kramer of that firm in this case. My hourly rate for such work is at my standard hourly rate of \$500/hour.

3. The opinions expressed herein are based upon my personal qualifications, knowledge and experience, my knowledge of rates generally charged in employment cases in this state, case law, and my professional knowledge of the skills, ability, reputation and

DECLARATION OF VICTORIA L. VREELAND RE HOURLY RATES
IN SUPPORT OF PLAINTIFF'S MOTION - 1

No. 2:16-cv-00922-MAT

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MACDONALD HOAGUE & BAYLESS
705 Second Avenue, Suite 1500
Seattle, Washington 98104
Tel 206.622.1604 Fax 206.343.3961

1 experience of the plaintiff's counsel in this case. The opinions expressed herein are on a more
2 probable than not basis, and reflect my professional opinions.

3 **Qualifications and Experience**

4 4. I am an attorney licensed to practice in Washington since 1976, and a member in
5 good standing of the Washington State Bar Association. I am also admitted in the Western and
6 Eastern Districts of Washington, the Ninth Circuit Court of Appeals, and the U.S. Supreme
7 Court. I graduated from Gonzaga University School of Law *summa cum laude* in 1976, and
8 served for two years as a judicial law clerk with Judge Dale M. Green of Division III of the
9 Washington State Court of Appeals. Since then, I have been continuously engaged in the practice
10 of law for thirty-nine (39) years as a trial lawyer. I served as an Assistant Attorney General for
11 the State of Washington in the Consumer Protection & Anti-Trust Division in Seattle, and then
12 as the chief Assistant Attorney General for the Crime Victims Compensation Division of the
13 Washington Department of Labor & Industries. I joined the Seattle office of Gordon Thomas
14 Honeywell in mid-1983, and became a full partner in 1985. In 2011, I formed my own firm,
15 Vreeland Law PLLC, where I have continued in the full-time practice of law to the present.

16 5. In my practice, I have served as a trial lawyer representing private individuals,
17 large and small business enterprises, corporations, health carriers, banks, mortgage and insurance
18 companies, partnerships, government officials and agencies, and non-profit associations. I have
19 been lead counsel in cases in both state and federal trial courts and appellate courts, bankruptcy
20 courts, administrative agencies and hearing boards, including both federal districts of
21 Washington in all locales, and the superior courts of King, Pierce, Thurston, Clark, Grays
22 Harbor, Jefferson, Mason, Snohomish, Skagit, Spokane, Kittitas, Kitsap, Benton, Yakima, and
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1 Okanogan counties. I have also been admitted *pro hac vice* in the states of Idaho and Alaska on
2 individual cases.

3 6. I have served as lead counsel in cases in the areas of employment and civil rights
4 litigation, corporate and commercial claims, real estate, creditor and banking, sexual coercion
5 and abuse, insurance coverage and defense, professional negligence, fraud, consumer protection,
6 asbestosis, and personal injury. I have been a Special Assistant Attorney General for the Office
7 of Insurance Commissioner since 1993, representing the Commissioner as Receiver of insolvent
8 insurers in both state and federal courts in complex commercial litigation arising in insurer
9 receiverships. I am currently a Special Assistant Attorney General representing the judges of the
10 Superior Court of Okanogan County.
11

12 7. I recently served as President-Elect and President of the Washington State
13 Association for Justice (formerly Washington State Trial Lawyers Association) in 2015-2017,
14 and on the WSBA Labor & Employment Executive Committee. I served as a Governor on the
15 Washington State Bar Association Board, served on the Bar's Disciplinary Board, as Special
16 Counsel in disciplinary matters, and on the boards and task forces for several other professional
17 organizations. I am a member of the King County Bar Association, Washington State
18 Association for Justice, the American Association for Justice, the Federal Bar Association,
19 National Employment Lawyers Association, Washington Employment Lawyers Association,
20 American Bar Foundation, National Trial Lawyers, Damage Attorneys Round Table,
21 Washington Women Lawyers, Legal Voice (formerly Northwest Women's Law Center), and the
22 American Bar Association having served as a Vice-Chair of the Employer-Employee Relations
23 Committee for several years.
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DECLARATION OF VICTORIA L. VREELAND RE HOURLY RATES
IN SUPPORT OF PLAINTIFF'S MOTION - 3

1 8. For at least the past twenty-four (24) years, my practice has emphasized the
 2 representation of individual plaintiffs with claims arising in the employment relationship. From
 3 2004-08, I was Vice Chair of the Washington Employment Lawyers Association and from 2008
 4 – 2012, I served as Chair. I am one of the authors of the *WSAJ Employment Law Deskbook*. I
 5 enjoy a strong, good professional reputation in the civil rights/discrimination employment area of
 6 practice, and have several reported appellate cases. I have frequently been a writer and speaker
 7 at continuing legal education seminars in Washington and in other states, including programs for
 8 WELA, WSAJ, NELA and the ABA. I have also provided expert review and opinion for other
 9 attorneys in cases in federal court, and in Skagit, Pierce, King and Spokane counties as to the
 10 reasonableness of fees, costs, and legal services performed in employment cases.

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 12 9. In 2007, I was recognized by my peers and selected as *Trial Lawyer of the Year*
 13 by the Washington State Trial Lawyers Association; and have been named in *Best Lawyers in*
 14 *America* in 2009 – present, as a *Superlawyer* in *Washington Law & Politics* each year since 2002
 15 including named in the Top 50 women lawyers in Washington, and am rated “AV Preeminent”
 16 by Martindale-Hubbell. I have written and presented at over fifty-nine (59) continuing legal
 17 education programs on litigation, trial practice and employment discrimination law.

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 19 10. I have been asked to provide my opinion regarding the reasonableness of the
 20 hourly rates charged by the plaintiff’s attorneys in this case.

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 22 11. It is my opinion that the standard hourly rates requested on behalf of the plaintiff
 23 in this case as set out in the Declaration of Jesse Wing, lead counsel in the case, are quite
 24 reasonable. In my opinion, Mr. Wing’s rate is slightly below current prevailing market rates for
 25 legal services for persons of similar skill and experience for this type of case. I am familiar in
 26 general, and in many cases quite specifically, with the hourly rates charged by lawyers in this
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1 field in the King County area and the state of Washington. This knowledge is based upon my
2 professional contacts and involvement, and keeping up-to-date on case decisions and fee awards
3 by various courts, and my current and prior review and research on prevailing market rates.

4 12. My opinions are based upon *current* reasonable attorney's fee rates for all work
5 performed. Current rates are recognized as proper for lodestar calculations where the legal work
6 has been performed over a period of years, and is, in part, to compensate for the delay in
7 payment. *See, e.g. Missouri v. Jenkins*, 491 U.S. 274, 283 (1989); *Bouman v. Block*, 940 F.2d
8 1211, 1235, *cert. denied*, 502 U.S. 1005 (1991).

9 13. The Declaration of Jesse Wing states that the hourly rate for Sam Kramer is
10 \$275/hour and Angela Galloway is \$325/hour. Since at least 2000, I have periodically obtained
11 salary/compensation information from large, small and medium firms for setting and adjusting
12 compensation for associate and contract lawyers for my own firm(s), in preparing fee petitions in
13 my own cases, and in expressing opinions on the reasonableness of rates in numerous cases. In
14 my opinion, the rate charged for Mr. Kramer, given his experience and qualifications, is quite
15 proper at \$275/hour, and well within the current rates for lawyers with similar credentials. The
16 rate charge for Ms. Galloway at \$325 appears to be rather low for her experience and
17 qualifications. It is my opinion that the most reasonable hourly rate range for Ms. Galloway is
18 between \$350-400/hour.

19 14. The Declaration of Jesse Wing states his hourly rate is \$500/hour. Given his
20 experience and qualifications, particularly in the more refined area of federal fair housing claims,
21 the rate of \$500/hour is lower than the current market rates generally charged by lawyers of
22 similar experience in this district. Mr. Wing is a highly sought after, experienced attorney in the
23 area of discrimination, fair housing, and civil rights claims. He enjoys a very strong and good
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1 reputation professionally. In addition to my general knowledge professionally of Mr. Wing's
2 credentials and abilities, I have direct knowledge of his work ethic and work product, having
3 served as a mediator in the past in a rather complex fair housing case with varying insurance
4 coverages, in which Mr. Wing represented a large number of diverse tenants. In this area of
5 practice, Mr. Wing occupies a position among the top level of attorneys in this state. I have
6 observed that he is diligent, professional, thoughtful and efficient in his work. Reasonable
7 prevailing rates for similar lawyers of his caliber in fair housing cases are in the range of up to
8 \$600-650/hour. His rate at \$500/hour, which has not increased for several years, is eminently
9 reasonable.
10

11 15. I have spent 1.5 hours reviewing the plaintiff's support for its fee petition as
12 hourly rates, reviewing pertinent pleadings and information in other cases, and forming my
13 opinions and drafting this Declaration. My hourly rate is \$550 for this type of work.
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16 The above is true and correct to the best of my knowledge and belief, and is made under
17 penalty of perjury of the laws of the State of Washington.
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19 DATED this 9th day of October, 2017, at Bellevue, Washington.
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21 /s/ Victoria L. Vreeland

22 Victoria L. Vreeland, WSBA No. 08046
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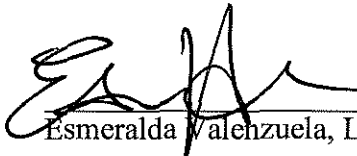
CERTIFICATE OF SERVICE

I certify that on the date noted below I electronically filed this document entitled
DECLARATION OF VICTORIA L. VREELAND RE HOURLY RATES IN SUPPORT OF
PLAINTIFF'S MOTION FOR ATTORNEY'S FEES AND COSTS with the Clerk of the Court
using the CM/ECF system which will send notification of such filing to the following persons:

Counsel for Defendants

George T. Hunter, WSBA # 14388
5900 48th Ave S
Seattle, WA 98118
Telephone: 206-851-7700
Email: gthunter7700@gmail.com

DATED this 9th day of October, 2017, at Seattle, Washington.



Esmeralda Valenzuela, Legal Assistant